PD-1248-19
COURT OF CRIMINAL APPEALS
AUSTIN, TEXAS
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DEANA WILLIAMSON
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NO. PD-1248-19

IN THE COURT OF CRIMINAL APPEALS

AUSTIN, TEXAS

NO. 1591795

IN THE TRIAL COURT

230TH JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

CHRISTOPHER SIMMS	§	**APPELLANT**
VS.	§	
THE STATE OF TEXAS	§	**APPELLEE**

**MOTION FOR EXTENSION OF TIME FOR FILING
APPELLANT'S BRIEF ON PETITION FOR DISCRETIONARY REVIEW**

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COUNSEL ON APPEAL

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

COMES NOW, CHRISTOPHER SIMMS, appellant, by and through his counsel on appeal, ALLEN C. ISBELL, and respectfully requests this Honorable Court grant an Extension for filing Appellant's Brief on Petition for Discretionary Review.

I.

On November 14, 2019, the First Court of Appeals in Houston, Texas, delivered an opinion in No. 01-18-00539-CR, entitled *CHRISTOPHER SIMMS vs. The State of Texas*, affirming the conviction.

On April 1, 2020, this Honorable Court granted Appellant's Petition for Discretionary Review.

II.

The present deadline for filing the Brief on Petition for Discretionary Review is May 1, 2020.

III.

Appellant requests that the time be extended until June 1, 2020.

IV.

Counsel is unable to timely file the Brief on Petition for Discretionary Review within the time prescribed by the *TEXAS RULES OF APPELLATE*

PROCEDURE for the following reasons:

1. On March 31, 2020, the Governor of Texas issued an essential services order requiring non-essential services cease through April 30, 2020.

2. On March 24, 2020, the County Judge of Harris County issued a "Stay Home-Work Safe" order requiring non-essential workers to remain at home, which essentially closed my law office. On March 31, 2020, the County Judge of Harris County extended the "Stay Home-Work Safe" order to April 30, 2020, which essentially closes my law office.

3. Counsel is presently working on the following Brief for Appellant: Irsan v. State, No. AP,77,082; Williams v. State, No. 14-19-00128-CR;

V.

This is the first (1) extension requested.

VI.

This motion is urged at the first opportunity as appellant is indigent and will suffer irremediable harm if it is not granted.

WHEREFORE, PREMISES CONSIDERED, appellant prays that this Honorable Court grant this extension of time in which to file the Petition for Discretionary Review until June 1, 2020.

Respectfully submitted,

/s/ Allen C. Isbell
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Certificate of Service

I hereby certify that on this 16th day of April, 2020, a true and correct copy of the foregoing motion was sent to the District Attorney's Office, Appellate Division, and to Mr. Christopher Simms, appellant.

/s/ Allen C. Isbell
ALLEN C. ISBELL

Certificate of Compliance

The undersigned attorney on appeal certifies this motion is computer generated and consists of 493 words. Counsel is relying on the word count provided by the Word Perfect computer software used to prepare the motion.

/s/ Allen C. Isbell
ALLEN C. ISBELL

Automated Certificate of eService

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